



**NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257**

AMENDMENT NO. 1  
(to be filled in by  
Principal Clerk)

S257-AML-17 [v.1]

Page 1 of 1

Amends Title [NO]  
Transportation Special Provisions Report

Date 5/25, 2017

Representative Bumgardner

- 1 moves to amend the Transportation Special Provisions Report on page 22, line 1, through page  
2 23, line 30, by deleting those lines.

SIGNED

*DB Bumgardner*  
Amendment Sponsor

SIGNED

*Phillips Shepard*  
Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

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NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257

AMENDMENT NO. 2  
(to be filled in by  
Principal Clerk)

S257-AML-13 [v.1]

Page 1 of 1

Amends Title [NO]  
Transportation Special Provisions Report

Date 5/25, 2017

Representative Bumgardner

- 1 moves to amend the Transportation Special Provisions Report on page 24, line 1, through page  
2 26, line 50, by deleting the lines.

SIGNED

[Signature]  
Amendment Sponsor

SIGNED

[Signature]  
Committee Chair if Senate Committee Amendment

ADOPTED

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NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257

AMENDMENT NO. 3  
(to be filled in by  
Principal Clerk)

S257-AML-15 [v.2]

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Amends Title [NO]  
Transportation Special Provisions Report

Date 5/25, 2017

Representative Bumgardner

1 moves to amend the Transportation Special Provisions Report on page 36, line 1, through page  
2 38, line 6, by deleting those lines; and  
3

4 moves to amend the Transportation Money Report on page K22 by deleting item number 14;  
5 and  
6

7 moves to amend the Transportation Money Report on page K27, item number 32, by increasing  
8 both amounts by twenty-two million dollars (\$22,000,000) in recurring funds; and  
9

10 moves to amend the Transportation Money Report on page K27 by inserting a new item to  
11 read:

12 **"35A Private Unpaved Roads Improvement Program \$28,000,000 R \$28,000,000 R**  
13 **Fund Code: N/A**  
14

15 Establishes a Private Unpaved Roads Improvement  
16 Program to improve unpaved roads that are open  
17 to the public.; and  
18

19 moves to amend the Transportation Special Provisions Report on page 63, line 8, by inserting  
20 the following immediately after that line:

21 **"PRIVATE UNPAVED ROAD IMPROVEMENT PROGRAM**

22 **SECTION 34.41.** The Department of Transportation shall establish a Private  
23 Unpaved Roads Improvement Program to improve unpaved roads that are open to the public,  
24 but are not currently part of the State or municipal system. The Department shall implement the  
25 program by September 1, 2017. The Department shall allocate the sum of two million dollars  
26 (\$2,000,000) to each of the 14 Highway Divisions to use on selected roads within the Highway  
27 Division's jurisdiction. The program shall provide for minimal improvements to the selected  
28 roads. The Department shall establish eligibility guidelines for the roads to be improved under  
29 the Program. These guidelines shall include giving priority to roads that are impassable by  
30 emergency vehicles and school buses. The Department shall report the results of the program to  
31 the Joint Legislative Transportation Oversight Committee by December 1, 2017 and annually  
32 thereafter, including any recommendations and legislative proposals.".



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NORTH CAROLINA GENERAL ASSEMBLY  
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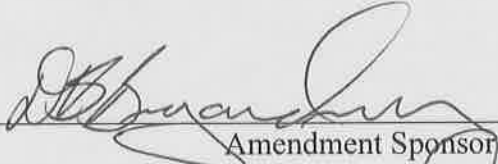
AMENDMENT NO. 3  
(to be filled in by  
Principal Clerk)

S257-AML-15 [v.2]

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SIGNED

  
Amendment Sponsor

SIGNED

  
Committee Chair if Senate Committee Amendment

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NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257

AMENDMENT NO. 4  
(to be filled in by  
Principal Clerk)

S257-AML-10 [v.2]

Page 1 of 3

Amends Title [NO]  
Transportation Special Provisions Report

Date 5/25, 2017

Representative Torbett

moves to amend the Transportation Special Provisions Report on page 63, line 8, by inserting the following immediately after that line:

**"DOT/TRAFFIC IMPACT ANALYSIS TIME FRAME**

**SECTION 34.39.(a)** Article 7 of Chapter 136 of the General Statutes is amended by adding a new section to read:

**"§ 136-93.1A. Time frame for reviewing and making a decision on traffic impact analyses.**

(a) Required Time Frames. – The following time frames apply to the Department's process for reviewing and making a decision on a traffic impact analysis:

(1) The Department shall communicate the scope of the traffic impact analysis to the applicant no later than 10 business days from the day the Department receives the scope proposed by the applicant.

(2) The Department shall review and make a decision as to the completeness of the traffic impact analysis no later than 20 business days from the day the Department receives the traffic impact analysis. Failure of the Department to meet the time frame set forth in this subdivision shall result in the traffic impact analysis being deemed complete.

(3) The Department shall review and make a decision as to the approval or rejection of a traffic impact analysis no later than 20 business days from the day the traffic impact analysis is determined or deemed to be complete in accordance with subdivision (2) of this subsection or subsection (e) of this section. Failure of the Department to meet the time frame set forth in this subdivision shall result in the traffic impact analysis being deemed approved.

(b) Calculation. – The following rules apply when calculating the time frames set forth in subsection (a) of this section:

(1) The period of time in which a local government or local transportation planning organization reviews and provides feedback shall be included.

(2) The period of time in which the Department awaits a response from an applicant shall not be included.

(c) Basis for Rejection. – The Department shall not reject a traffic impact analysis on the basis that the applicant has failed to include information in a traffic impact analysis that is



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**NORTH CAROLINA GENERAL ASSEMBLY**  
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(to be filled in by  
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S257-AML-10 [v.2]

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1 outside the scope established under subdivision (1) of subsection (a) of this section for that  
2 traffic impact analysis. When the Department rejects a traffic impact analysis, the Department  
3 shall provide the applicant written notice specifically setting forth the reason for rejection.

4 (d) Effect of Rejection. – The time frames set forth in subsection (a) of this section shall  
5 reset upon rejection of a traffic impact analysis. The Department may authorize an applicant to  
6 reuse the scope approved for a rejected traffic impact analysis if the applicant is submitting a  
7 revised traffic impact analysis. The Department shall notify the applicant as to whether the  
8 original scope may be used no later than five business days from the day the Department  
9 receives notice from the applicant that the applicant plans to submit a revised traffic impact  
10 analysis.

11 (e) Appeal. – An applicant may appeal a rejection of a traffic impact analysis by  
12 providing written notice of appeal to the Chief Engineer no later than five business days from  
13 the day the applicant receives the written notice required under subsection (c) of this section.  
14 No later than five business days from the day the Chief Engineer receives the written notice of  
15 appeal, the Chief Engineer shall either affirm or overturn the rejection being appealed. If the  
16 rejection being appealed is overturned, the traffic impact analysis that was the subject of the  
17 appeal shall be deemed (i) complete if the basis of the rejection being appealed was lack of  
18 completeness or (ii) approved if the basis of the rejection being appealed was for any reason  
19 other than lack of completeness. The Chief Engineer shall provide the appealing party with  
20 written notice of the Chief Engineer's decision, specifically setting forth the reason if the  
21 rejection being appealed is affirmed. A decision by the Chief Engineer shall be final and not  
22 subject to further appeal.

23 (f) Criteria. – The Department shall develop and use criteria for determining (i) the  
24 scope of a traffic impact analysis, (ii) the completeness of a traffic impact analysis, and (iii)  
25 whether to approve or reject a traffic impact analysis. The Department shall post the criteria on  
26 its Web site. Prior to amending the criteria, the Department shall consult with a working group  
27 that consists of engineers, local government representatives, local transportation planning  
28 organization representatives, and other interested stakeholders identified by the Department.  
29 The Department shall provide at least 90 days' notice prior to the effective date of any  
30 amendments to the criteria. The notice required under this subsection may be satisfied by  
31 publishing the proposed amendments on the Department's Web site.

32 (g) Report. – Beginning October 1, and annually thereafter, the Department shall  
33 provide to the chairs of the Joint Legislative Transportation Oversight Committee a report on  
34 the number of times the Department failed during the year preceding the report to meet the time  
35 frame set in subdivision (1) of subsection (a) of this section, including reasoning for each  
36 failure."

37 **SECTION 34.39.(b)** The Department of Transportation shall commence  
38 development of the appeals process required under G.S. 136-93.1A(e), as enacted by subsection  
39 (a) of this section.

40 **SECTION 34.39.(c)** Subsection (a) of this section becomes effective October 1,  
41 2017, and applies to proposed scopes and traffic impact analyses submitted on or after that  
42 date. The remainder of this section is effective when it becomes law."

**NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257**

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by  
Principal Clerk)

S257-AML-10 [v.2]

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SIGNED

  
Amendment Sponsor

SIGNED

  
Committee Chair if Senate Committee Amendment

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*Withdrawn*



**NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257**

AMENDMENT NO. 5  
(to be filled in by  
Principal Clerk)

S257-AML-14 [v.1]

Page 1 of 1

Amends Title [NO]  
Transportation Special Provisions Report

Date 5/25, 2017

Representative Bumgardner

- 1 moves to amend the Transportation Special Provisions Report on page 63, lines 1-8, by deleting  
2 the lines.

SIGNED

  
Amendment Sponsor

SIGNED

  
Committee Chair if Senate Committee Amendment

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*Withdrawn*



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NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257

AMENDMENT NO. 6  
(to be filled in by  
Principal Clerk)

S257-AML-12 [v.3]

Page 1 of 1

Amends Title [NO]  
Transportation Special Provisions Report

Date 5/25, 2017

Representative Torbett

1 moves to amend the Transportation Money Report on page K27, item number 35, by  
2 decreasing the amount for the 2017-2018 fiscal year by two million dollars (\$2,000,000) in  
3 nonrecurring funds; and

4  
5 Moves to amend the Transportation Money Report on page K29 by inserting a new item to  
6 read:

7 "44 **Institute for Transportation Research and Education** \$2,000,000 NR  
8 **Fund Code:** N/A

9  
10 Provides funding to the Institute for Transportation Research  
11 and Education at North Carolina State University for analyzing  
12 Localized Unmanned Aircraft Systems Traffic Management Solutions."

SIGNED

John A. Torbett  
Amendment Sponsor

SIGNED

Philip L. Shafer  
Committee Chair if Senate Committee Amendment

ADOPTED ✓

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NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 257

AMENDMENT NO. 7  
(to be filled in by  
Principal Clerk)

S257-AML-16 [v.1]

Page 1 of 1

Amends Title [NO]  
Transportation Special Provisions Report

Date 5/25, 2017

Representative Garrison

- 1 moves to amend the Transportation Special Provisions Report on page 32, lines 1-41, by  
2 rewriting the lines to read:  
3 **"REMOVE SUNSET ON DOT'S PROGRAM FOR PARTICIPATION BY**  
4 **DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES**  
5 **SECTION 34.15. G.S. 136-28.4(e) is repealed."**

SIGNED

  
Amendment Sponsor

SIGNED

  
Committee Chair if Senate Committee Amendment

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